

**GOVERNMENT OF ANDHRA PRADESH
ABSTRACT**

Public Services – BC Welfare Department – Departmental proceedings under Rule 20 of Andhra Pradesh Civil Services (Classification, Control & Appeal) Rules, 1991 read with Rule 9 of A.P. Revised Pension Rules, 1980 against Sri Y.Apparao, the then Hostel Welfare Officer(I/c) (now retired), Government BC Boys Hostel, Mulagapudi, EG District - Article of Charges – Orders – Issued.

BACKWARD CLASSES WELFARE (D) DEPARTMENT

G.O.Rt.No. 98

**Dated.23 -08-2021.
Read the following:**

1. Charge Memo.Rc.No.B1/191/2018, dt.20.01.2020 of the District Collector, East Godavari District.
2. Govt.Memo.No.BCW01-12024/15/2018-D section, dt.18.08.2021.
3. G.O.Ms.No.11, BC Welfare (D) Dept., dated.23.08.2021.

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ORDER:

In the reference 1st read above, the Collector & District Magistrate, East Godavari District has issued Article of Charges against Sri Y.Apparao, the then Hostel Welfare Officer(i/c), Government BC Boys Hostel, Mulagapudi, EG District after his retirement (who retired on 30.09.2019) which is against the provisions prescribed in the A.P. Revised Pension Rules, 1980.

2. Government after examination of the matter, the orders issued by the District Collector in the reference 1st read above are cancelled since the Government alone is competent to initiate disciplinary action in respect of retired officials. Accordingly and in pursuance of the sanction accorded by the Government in the reference 3rd read above, under Sub-Clause (i) of clause (b) of Sub-Rule (2) of Rule 9 of Andhra Pradesh Revised Pension Rules, 1980 for initiating departmental proceedings against Sri Y.Apparao, the then Hostel Welfare Officer(I/c) (now retired), Government BC Boys Hostel, Mulagapudi, EG District, it is considered necessary to hold an inquiry against the said Sri Y.Apparao, the then Hostel Welfare Officer(I/c) (now retired), in accordance with the procedure laid down in Rule 20 of the Andhra Pradesh Civil Services (Classification, Control & Appeal) Rules, 1991.

3. The substance of the imputations of misconduct or misbehavior in respect of which the enquiry is proposed to be held is set out in the enclosed statement of article of charges (Annexure-I and II). A list of documents by which and a list of witnesses by whom, the article of charges are proposed to be sustained are also enclosed (Annexure-III and IV).

4. Sri Y.Apparao, the then Hostel Welfare Officer(I/c) (now retired) Government BC Boys Hostel, Mulagapudi, EG District, is directed to submit his written statement of defense within ten (10) days of the receipt of this order.

5. Sri Y.Apparao, the then Hostel Welfare Officer(I/c) (now retired) Government BC Boys Hostel, Mulagapudi, EG District, is informed that an inquiry will be held only in respect of those article of charges as are not admitted. He should, therefore, specifically admit or deny article of charge.

6. Sri Y.Apparao, the then Hostel Welfare Officer(I/c) (now retired) Government BC Boys Hostel, Mulagapudi, EG District, is further informed that if he does not submit his written statement of defence on or before the period specified in Para 4 above or otherwise fails or refuses to comply with the provisions of Rule 20 of Andhra Pradesh Civil Services (Classification, Control & Appeal) Rules, 1991 or the orders / directions issued in pursuance of the said rules, the Inquiring Authority may hold the inquiry against him ex-parte.

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7. Sri Y.Apparao, the then Hostel Welfare Officer(I/c) (now retired) Government BC Boys Hostel, Mulagapudi, EG District, is informed that Rule 24 of the Andhra Pradesh Civil Services (Conduct) Rules, 1964 stipulates that under no circumstances, Government servant shall bring or attempt to bring any political or outside influence to bear upon any superior authority to further his interests in representation is received on his behalf from another person in respect of any matter dealt within these proceedings, it will be presumed that the said Sri Y.Apparao, the then Hostel Welfare Officer(I/c) (now retired) Government BC Boys Hostel, Mulagapudi, EG District is aware of such a representation and that it has been made at his instance and action will be taken against him for violation of Rule 24 of the Andhra Pradesh Civil Services (Conduct) Rules, 1964.

8. The receipt of this G.O. shall be acknowledged.

(BY ORDER AND IN THE NAME OF THE GOVERNOR OF ANDHRA PRADESH)

G ANANTHA RAMU
SPECIAL CHIEF SECRETARY TO GOVERNMENT

To

Sri Y.Apparao, the then Hostel Welfare Officer(I/c) (now retired), Government BC Boys Hostel, Mulagapudi, EG District "through" the Director of BC Welfare, A.P., Vijayawada.

Copy to:

The Director of BC Welfare, A.P., Vijayawada. (with a request to serve and return the acknowledged copy and Written Statement of Defense)

SF/SC

//FORWARDED :: BY ORDER//

P. N. Venu
SECTION OFFICER
[Signature]

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[Annexure to G.O.Rt.No.98, BCW(D) Dept., Dt.23.08.2021]

ANNEXURE-I

STATEMENT OF ARTICLE OF CHARGE AGAINST SRI YADALA APPARAO @ KONDABABU, I/C HOSTEL WELFARE OFFICER, GOVT B.C WELFARE BOYS HOSTEL, MULAGAPUDI, ROWTHULAPUDI (M), E.G. DISTRICT :-

Sri Yadala Apparao @ Kondababu, Hotel Welfare Officer, Bhemavarapukota while working as in-charge Hostel Welfare Officer, Govt. B.C. Welfare Boys Hostel, Mulagapudi(V), Rowthulapudi (M), E.G. District from 01.03.2018 to 14-03-2018, he has committed grave misconduct is as much as under:

Charge- 1:

That Sri Y.Apparao @ Kondababu failed to take attendance to the boarders from 11-03-2018 to 13-03-2018 and shown 140 Boarders as "present" in the Boarders Attendance Register from 01-03-2018 to 10-03-2018 as against the Physical Strength of 32 Boarders on 14-03-2018 and failed to maintain the Boarders Attendance Register properly.

Charge-2:

That Sri Y.Apparao @ Kondababu misappropriated the provisions pertaining to the hostel worth Rs.1,866.50 paisa and failed to maintain the provisions stock & issue Register 2017-18 properly.

Charge-3:

That Sri Y.Apparao @ Kondababu failed to take charge of the Govt. B.C. Welfare Hostel, Mulagapudi(V), Rowthulapudi(M), E.G. District from Sri T.V. Prasad, the then HWO, Govt. B.C. Welfare Hostel, Mulagapudi(V), Rowthulapudi(M) as per proceedings in RC.No.B1/104/2018, dt.01-03-2018 of D.D. BC Welfare Department (FAC), E.G. District, Kakinada, failed to follow the prescribed food menu for the boarders of the hostel and he failed to maintain the premises of the hostel in hygienic condition.

Thus Sri Yadala Apparao @ Kondababu, In-charge Hostel Welfare Officer, Govt. B.C. Welfare Boys Hostel, Mulagapudi(V), Rowthulapudi(M), E.G. District by his above mentioned acts has exhibited lack of integrity, devotion to duty and conduct un-becoming of a Govt. Servant and thereby contravened Rule 3(1) & (2) of A.P. Civil Service (Conduct) Rules 1964.

**G ANANTHA RAMU
SPECIAL CHIEF SECRETARY TO GOVERNMENT**

//FORWARDED :: BY ORDER//

P. M. Rao
SECTION OFFICER


[Annexure to G.O.Rt.No.98, BCW(D) Dept., Dt.23.08.2021]

ANNEXURE -II

STATEMENT OF IMPUTATION OF MISCONDUCT IN SUPPORT OF ARTICLE OF CHARGES FRAMED AGAINST SRI YADALA APPARAO @ KONDABABU, I/C HOSTEL WELFARE OFFICER, GOVT B.C WELFARE BOYS HOSTEL, MULAGAPUDI, ROWTHULAPUDI(M), E.G. DISTRICT :-

Charge-I:

That during the verification of Registers in surprise check proceedings conducted on Govt. B.C. Welfare hostel, Mulagapudi under the cover of Mediator's report and found Boarders Attendance Register and it had been maintained from 12-June-2017 to 10-March-2018 for the 6th to 10th class students.

On perusal of the register the Government servant and ABCWO taken attendance of boarders up to 10-3-2018 and did not take attendance from 11-03-2018 to 13-03-2018. The Government Servant had shown present for 140 boarders from 01-03-2018 to 10-03-2018. Whereas during physical verification, there are 32 boarders present having variation of 108 boarders. When questioned the Govt. Servant about the variation of 108 boarders on physical verification, he failed to give proper explanation. As per the statements of the boarders, regularly about 40 boarders will be present in the hostel and the figure of 140 boarders attendance is not correct. On keen perusal of the Boarders Attendance register, it is also found that it is not being maintained properly. The Boarders Attendance Register was seized under the cover of mediators report.

The Surprise check proceedings, Boarders Attendance Register and statements of Boarders are on record.

Charge -II:

That during surprise check proceedings found Provisions Stock & issue printed register for the year 2017-2018 and it is being maintained from 12-06-2017. On perusal of the same, details of the balance provisions have been noted up to 14-03-2018 for the items like rice, dal, oil, tamarind, Ragi Floor etc., in the stock room of the hostel. The DSP got those provisions weighed through weighing machine with the assistance of Sri Thamarala Narayana Murthy, (Local kirana merchant) S/o Latcha Pathrudu, 60 yrs, Meraka veedhi, Mulagapudi(V), Rowthulapudi(M), E.G.District and found variations between ground stock and stock as per the register. The surprise check disclosed that the physical stock i.e., Rice, RG Dall(Reg Gram), Oil were found 365 Kgs, 1.5 kgs, 20.5 Kgs shortage respectively comparatively with the stock as per the register.

As per the expenditure statement for the month of February -2018 (Form-II) appended Diet bills (APTC Form-58) of Govt. B.C. welfare Hostel, Mulagapudi submitted by the DDO, the price of rice is Rs.1/- per kg, R.G. Dall is Rs.99/-1 per kg and Oil is Rs.66/- per kg. The Govt. servant thus misappropriated provisions of the Hostel worth Rs.1866.50 $(1 \times 365 + 99 \times 1.5 + 66 \times 20.5 = 1866.50)$ by way of reasons known to him.

On keen perusal of register, it is also found the Provisions Stock & issue Register 2017-18 has not been maintained properly. The Government Servant and ABCWO failed to enter the details of purchased provisions in the Register. When the DSP questioned the Government Servant and ABCWO about the above irregularities as per the Stock register they did not give proper reply and failed to account for. As per stock register, it is clear that the HWO did not utilize the provisions as per the menu and provided less quantity of food to the boarders. When questioned about the bills/vouchers with regard to the vegetables and daily purchased provisions, the H.W.O did not produce any bills/vouchers and the details were not entered in the daily purchase register and the register is not up to date.

The Surprise check proceedings, Provisions Stock & issue Register 2017-18 and the expenditure statement for the month of February -2018 (Form-II) are on record.

Charge -III:

That Surprise check proceedings disclosed that the Govt. Servant is working as in charge Hostel Welfare Officer, Govt. BC Welfare Boys hostel, Mulagapudi since 01-03-2018 as Sri T.V.Prasad, Hostel Welfare Officer, Govt. BC Welfare Boys hostel, Mulagapudi was promoted as Asst. B.C. Welfare Officer and posted at Tuni who relieved on 28-02-2018 from the Govt. BC Welfare hostel, Mulagapudi as per the proceedings in RC.No.B1/104/2018, dt.01-03-2018 of D.D. BC Welfare Department (FAC), E.G. District, Kakinada. That the Govt. Servant did not take over the charge from Sri T.V.Prasad till 14-03-2018 and the same was admitted by the Govt. Servant and T.V.Prasad in writing vide letter dt.11-07-2019 and dt.12-07-2019 respectively and thus it is on record.

The Deputy Director, (FAC), B.C.Welfare, E.G., District, Kakinada in reply vide R.C.No.B1/191/2018, dt.16-07-2019 informed that as per the circular R.C.No.D1/4109/ 1997, dt.21-04-1998 of the CBCW, AP,Hyd r/w.GOMS No.64,BCW(B1) Dept.dt.29-07-1997 joining reports have been received to his office from the Govt. servant and T.V.Prasad, but with regard to the list of records taking over and handing over acknowledgements were not received so far and thus it is on record.

In reply in the same letter the Deputy Director while informing about the menu being maintained in the Govt. Hostels supplied a menu list vide Annexure-1 to the G.O.Ms No.82, SW(EDN.2) Department, dt.05-06-2018. As per the statements of Hostel boarders who were examined during the surprise check, the food items which have been mentioned in the Govt. prescribed menu list was not tallied so as it is proved that a poor menu has been providing by the Govt. servant to the borders of the hostel irregularly. Thus it is evident for one of the irregularities committed by the Govt. officer and it is on record.

The Deputy Director, (FAC), B.C. Welfare, E.G., District, Kakinada in reply vide RC.No.B1/191/2018, dt. 27-03-2018 supplied a copy of job chart. As per the job chart the Govt. servant is responsible for keeping the Govt. Hostel rooms, bath rooms, lavatories premises and environment in hygienic condition besides to get adequate drinking water and power supply etc., for the needs of boarders and thus it is on record. Contrary to this, during surprise check the Govt. Hostel and its premises and environment etc., was found in unhygienic condition.

Hence the Govt. Servant Sri Y.Apparao @ Kondababu while working as I/c Hostel Welfare Officer, Govt. B.C. Welfare Boys Hostel, Mulagapudi(V), Rowthulapudi(M), E.G. District exhibited lack of devotion to duty and committed misconduct in as much as he failed to take attendance to the boarders from 11-03-2018 to 13-03-2018 and shown 140 Boarders as "present" in the Boarders Attendance Register from 01-03-2018 to 10-03-2018 as against to the Physical Strength of 32 Boarders on 14-03-2018 and failed to maintain the Boarders Attendance Register properly, misappropriated the provisions pertaining to the hostel worth Rs.1,866.50 paisa and failed to maintain the provisions stock & issue Register 2017-18 properly and failed to take charge of the Govt. B.C. Welfare Hostel, Mulagapudi(V), Rowthulapudi(M), E.G. District from Sri T.V. Prasad, the then HWO, Govt. B.C. Welfare Hostel, Mulagapudi(V), Rowthulapudi(M) as per proceedings in RC.No.B1/104/2018, dt.01-03-2018 of D.D. BC Welfare Department (FAC), E.G. District, Kakinada and failed to follow the prescribed food menu for the boarders of the hostel and he failed to maintain the premises of the hostel in hygienic condition.

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Thus The Govt. Servant by his above mentioned acts has exhibited lack of integrity, devotion to duty and conduct un-becoming of Govt. Servant and thereby contravened Rule 3(1) & (2) of Andhra Pradesh Civil Services (Conduct) Rules, 1964.

Hence, the charge.

G ANANTHA RAMU
SPECIAL CHIEF SECRETARY TO GOVERNMENT

//FORWARDED :: BY ORDER//

P.H. Reddy
SECTION OFFICER

[Signature]

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[Annexure to G.O.Rt.No.98, BCW(D) Dept., Dt.23.08.2021]

ANNEXURE-III

LIST OF DOCUMENTS BY WHICH THE ARTICLE OF CHARGES FRAMED AGAINST SRI YADALA APPARAO @ KONDABABU, I/C HOSTEL WELFARE OFFICER, GOVT B.C WELFARE BOYS HOSTEL, MULAGAPUDI, ROWTHULAPUDI(M), E.G. DISTRICT ARE PROPOSED TO BE SUSTAINED.

Director General, ACB Detailed surprise check report Rc.No.23/DES-REG/2018, dated:11.09.2018

**G ANANTHA RAMU
SPECIAL CHIEF SECRETARY TO GOVERNMENT**

//FORWARDED :: BY ORDER//

Prithviraj
SECTION OFFICER

[Signature]

[Annexure to G.O.Rt.No.98, BCW(D) Dept., Dt.23.08.2021]

ANNEXURE-IV

LIST OF WITNESSES BY WHOM THE ARTICLE OF CHARGES FRAMED AGAINST SRI YADALA APPARAO @ KONDABABU, I/C HOSTEL WELFARE OFFICER, GOVT B.C WELFARE BOYS HOSTEL, MULAGAPUDI, ROWTHULAPUDI(M), E.G. DISTRICT ARE PROPOSED TO BE SUSTAINED :

1.	Sri Onteddu Satyanarayana, s/o Rajeswara Rao, Cook , Govt. B.C. Welfare Boys hostel, Mulagapudi(V), Rowthulapudi(M), E.G. District.
2.	Sri Allavarapu Nageswara Rao, S/o Mallaiah, Kamati (Outsourcing), Govt. B.C. Welfare Boys hostel, Mulagapudi(V), Rowthulapudi(M), E.G. District.
3.	Sri Majjuri Nageswara Rao, S/o Ramayya, Night Watchman of Govt. B.C Welfare Boys Hostel, Mulagapudi(V), Rowthulapudi(M), E.G. District.
4.	Sri Thamarala Narayana Murthy, S/o Latcha Pathrudu, Kirana Marchant R/o Meraka Veedhi, Mulagapudi(V), Rowthulapudi(M), E.G. District.
5.	Muvvala Demudu, S/o Raju, 10 Class, Govt. B.C. Welfare Boys hostel, Mulagapudi(V), Rowthulapudi(M), E.G. District.
6.	Narsipudi Durgaprasad, S/o Graiah, 10 Class, Govt. B.C. Welfare Boys hostel, Mulagapudi(V), Rowthulapudi(M), E.G. District.
7.	Yenugupalli Rejesh, S/o Nookaraju, 9- Class, Govt. B.C. Welfare Boys hostel, Mulagapudi(V), Rowthulapudi(M), E.G. District.
8.	Surala Sasi Ratnam S/o Sathibabu, 8 th Class, Govt. B.C. Welfare Boys hostel, Mulagapudi(V), Rowthulapudi(M), E.G. District.
9.	Peruru Harsavardan S/o Suribabu, 7 th Class, Govt. B.C. Welfare Boys hostel, Mulagapudi(V), Rowthulapudi(M), E.G. District.
10.	Anukula Prasad S/o Apparao, 7 th Class, Govt. B.C. Welfare Boys hostel, Mulagapudi(V), Rowthulapudi(M), E.G. District.
11.	Paila Satish, S/o Ramana, 6 th Class, Govt. B.C. Welfare Boys hostel, Mulagapudi(V), Rowthulapudi(M), E.G. District.
12.	Allu Satyanarayana Swamy, S/o Appala Raju, 6-Class, Govt. B.C. Welfare Boys hostel, Mulagapudi(V), Rowthulapudi(M), E.G. District.
13.	The Head Master, Z.P.P.High School, Mulagapudi (V), Rowthulapudi(M), E.G. District.
14.	Sri Bokka Srinivas, S/o Narasimha Murthy, Asst. Motor Vehicle Inspector, O/o District Transport Commissioner, E.G.District, Kakinada, R/o Flat No.421, B-Block, S.R.M.T. Apartments, Ramanayyapeta, Kakinada Rural, E.G.District.
15.	Sri Samanthakurthi Ganesh Babu, S/o Suryanarayana, Typist, O/o District Transport Commissioner, E.G.District, Kakinada, R/o Flat. No.101, Baba's Swaparnika Apartments, Road No.5, Ayodyanagar, Kakinada, E.G.district,
16.	Sri Chintalapudi Hari Prasad, District B.C. Welfare Officer in the O/o Dy. Director, B.C. Welfare., E.G.District, Kakinada.
17.	The Dy.Director, BC welfare, E.G. District, Kakinada.
18.	Sri T.Naresh, S.I of Police, Anti Corruption Bureau, Rajamahendravaram Range, Rajamahendravaram.

19.	Sri V.Pulla Rao, Range Inspector-II, Anti Corruption Bureau, Rajamahendravaram Range, Rajamahendravaram.
20.	Sri M.Sudhakara Rao, Dy. Supdt. of Police, Anti Corruption Bureau, Rajamahendravaram Range, Rajamahendravaram.
21.	Any other witnesses.

G ANANTHA RAMU
SPECIAL CHIEF SECRETARY TO GOVERNMENT

//FORWARDED :: BY ORDER//

P. N. Venk
SECTION OFFICER